

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SEAN HENRY,

Plaintiff,

- against -

ORDER ADOPTING
REPORT AND RECOMMENDATION
12-CV-4792 (RRM) (RML)

CITY OF NEW YORK, MARY HALL, ELLEN
HOWARD-COOPER, FRANCIS LOCKHART,
MELODY REID,

Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

On February 10, 2015, Magistrate Judge Robert M. Levy issued a Report and Recommendation (the “R&R”) recommending that Henry’s case be dismissed because of Henry’s lack of prosecution despite multiple efforts made by his former counsel to contact him and notice from the Court. (Doc. No. 20.) *See also Manshul Const. Corp. v. Int’l Fidelity Ins. Co.*, 182 F.3d 900 (2d Cir. 1999) (“[T]he authority of a court to dismiss *sua sponte* for lack of prosecution has generally been considered an ‘inherent power,’ governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.” (quoting *Lyell Theatre Corp. v. Loews Corp.*, 682 F.2d 37, 42 (2d Cir. 1982))). Judge Levy reminded the parties that, pursuant to 28 U.S.C. § 636, any objection to the R&R must be filed within fourteen (14) days. More than fourteen (14) days has passed and no party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, it is hereby ORDERED that Henry’s case is dismissed for lack of prosecution.

The Clerk of Court is directed to enter judgment pursuant to this Order, mail a copy of this Order and the accompanying judgment to Henry, note the mailing on the docket, and close the case.

SO ORDERED.

Roslynn R. Mauskopf

Dated: Brooklyn, New York
September 8, 2016

ROSLYNN R. MAUSKOPF
United States District Judge